

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EDWARDS LIFESCIENCES AG and
EDWARDS LIFESCIENCES LLC,

Plaintiffs,

v.

COREVALVE, INC. and MEDTRONIC
COREVALVE LLC,

Defendants.

C.A. No. 08-91 (GMS)

PLAINTIFFS' PROPOSED VERDICT FORM

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April 1, 2010

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FOR THE DISTRICT OF DELAWARE

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MEDTRONIC COREVALVE, LLC

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VERDICT FORM

We, the jury, having duly deliberated on the evidence presented by the parties,
answer the interrogatories posed by the Court as follows:

I. PATENT INFRINGEMENT

QUESTION 1:

Has Edwards proven by a preponderance of the evidence that the CoreValve Generation 3 ReValving System literally infringes Claim 1 of the '552 Patent?

YES _____ (for Edwards) NO _____ (for CoreValve)

If you answered "yes" to Question 1, go to Question 3.

If you answered "no" to Question 1, go to Question 2.

QUESTION 2:

Has Edwards proven by a preponderance of the evidence that the CoreValve Generation 3 ReValving System infringes Claim 1 of the '552 Patent under the Doctrine of Equivalents?

YES _____ (for Edwards) NO _____ (for CoreValve)

If you answered "yes" to Question 2, go to Question 3.

If you answered "no" to both Questions 1 and 2, go to Question 4.

II. WILLFUL PATENT INFRINGEMENT

QUESTION 3:

Has Edwards proven by clear and convincing evidence that CoreValve's infringement of Claim 1 of the '552 Patent was willful?

YES _____ (for Edwards)

NO _____ (for CoreValve)

Please go to Question 4.

III. PATENT VALIDITY

QUESTION 4:

Has CoreValve proven by clear and convincing evidence that Claim 1 of the '552 Patent is invalid because it is not enabled?

YES _____ (for CoreValve)

NO _____ (for Edwards)

Please go to Question 5.

IV. EDWARDS' DAMAGES

If you found that CoreValve has infringed Claim 1 of the '552 Patent (either literally or under the Doctrine of Equivalents), and that CoreValve did not prove that Claim 1 of the '552 Patent is invalid, you must decide the amount of damages adequate to compensate Edwards for CoreValve's infringement.

QUESTION 5:

If you believe that Edwards has proven by a preponderance of the evidence that it is entitled to lost profits for a portion of CoreValve's infringing sales, please enter the amount of lost profits:

Answer: \$ _____

QUESTION 6:

For those CoreValve infringing sales for which you did not award Edwards lost profits, what is the amount of reasonable royalty to which Edwards is entitled?

Answer: \$ _____

Dated: April __, 2010

Foreperson

CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2010 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

John W. Shaw, Esquire
YOUNG CONAWAY STARGATT & TAYLOR, LLP

I further certify that I caused copies of the foregoing document to be served on April 1, 2010 upon the following in the manner indicated:

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